

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GREG ABBOTT, in his capacity as  
GOVERNOR OF THE STATE OF TEXAS,  
and THE STATE OF TEXAS,

*Defendants.*

Case No. 1:23-cv-00853-DAE

**[PROPOSED] ORDER**

Upon consideration of the United States' Motion Regarding Proposed Schedule for Briefing Further Discovery and *Daubert* Motions (ECF 158) and any responses filed thereto, it is hereby ORDERED that the United States' Motion (ECF 158) is GRANTED. It is further ORDERED that the following case management schedule shall apply to any further discovery or *Daubert* motions to be filed in this case:

1) Except as noted in paragraphs 3 and 4 below, each party may file no more than two additional *Daubert* and/or discovery motions beyond those already pending as of July 2, 2024. Such motion or motions may be filed in omnibus form raising multiple *Daubert* and/or discovery issues, provided each motion complies with the 10-page limit set forth in Local Rule CV-7(C)(2).

2) Except as noted in paragraphs 3 and 4 below, any additional *Daubert* and/or discovery motions must be filed no later than July 16, 2024. Oppositions must be filed no later than July 19, 2024.

3) In the event that Texas determines it will file a motion to compel further responses to its

June 17, 2024 Supplemental Requests for Production, Texas will give notice of such motion to the United States (a) no later than 5 P.M. Central Time on July 18, 2024, and (b) at least two full business days before filing such motion, in order to allow adequate time for the parties to meet and confer on document production issues. Any such motion shall be filed no later than 5 P.M. Central Time on July 22, 2024, with any opposition due by 5 P.M. Central Time on July 24, 2024.

4) In the event that Texas determines it will file a discovery or *Daubert* motion relating to the United States' rebuttal expert Michael Chapman, Texas may file such motion by 5 P.M. Central Time on July 26, 2024.

5) The parties will not file written replies in support of any motions to be heard at the July 25, 2024 hearing that have not already been filed.

6) The deadline for the Joint Advisory addressing the parties' final meet-and-confer required by the Court's July 2, 2024 Order, ECF 145 at 2, is hereby extended until 12 P.M. Central Time on July 24, 2024.

7) The July 25, 2024 hearing before Judge Howell will be conducted remotely.

Date: \_\_\_\_\_

\_\_\_\_\_  
DUSTIN M. HOWELL  
U.S. MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I certify that on July 16, 2024, a copy of this filing was served on counsel of record through the Court's electronic filing system.

/s/ Andrew D. Knudsen  
Andrew D. Knudsen